BRITISH COLUMBIA

Ministry of Attorney General

CRIMINAL JUSTICE BRANCH

Performance Plan 2001/02– 2003/04

September 2001

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Criminal Justice Branch
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Criminal Justice Branch

STATEMENT OF PURPOSE AND PRINCIPLES

STATEMENT OF PURPOSE

The Criminal Justice Branch of the Ministry of Attorney General is a key component of British Columbia's criminal justice system. Our purpose is to contribute to the protection of society by preparing for and conducting prosecutions diligently and fairly, and by striving to develop the most effective methods to administer justice in our community.

STATEMENT OF PRINCIPLES

We, the members of the Criminal Justice Branch, are governed by six fundamental principles in fulfilling our purpose:

FAIRNESS
We act with fairness and impartiality in our pursuit of justice.

INDEPENDENCE
We perform our public service without regard to improper influence or interference.

RULE OF LAW
We apply the Rule of Law consistently and diligently.

EXCELLENCE
We achieve excellence by working together and by employing our skills and knowledge in accordance with the highest ethical standards.

ATTITUDE
We serve the public with courtesy and respect.

COMMITMENT
People are our most valuable resource. We are dedicated to being open, honest and trustworthy and to treating one another with respect, dignity and fairness. We endeavour to recognize individual achievement, to share information, knowledge and resources, and to facilitate career advancement and educational upgrading.

PREFACE

This Criminal Justice Branch Performance Plan describes where we are focusing our efforts over the next three years. This is the Branch's first Performance Plan encompassing the Branch's entire operation. The Branch had been in the final stages of completing its second Operational Plan. That Operational Plan has now been subsumed into this Branch Performance Plan. The first Operational Plan in 1994/95 was developed twenty years after the permanent Crown Counsel organization in British Columbia was established. The 1994/95 plan was intended to bring direction to the Branch by focusing the Branch's efforts to identified priorities. While Crown Counsel and other members of the Branch had always performed their responsibilities with a strong professional commitment to public service and the public interest, it was recognized that support for the prosecution function required strengthening.

In 1994, the goal to increase use of technology by providing each office with computers, access to electronic mail and other networks, seemed like an unattainable objective. Now, that objective is reality. Similarly, a number of other goals identified in 1994/95 became reality including: providing each office with organized access to indexed Criminal Appeals office memos and electronic forms; providing legal updates by Branch experts and through policy bulletins and directives; establishing a management information system; creating a Director of Finance and Administration position; developing educational plans for financial and administrative staff; improving internal and external communications; and expanding alternatives to criminal prosecutions in appropriate cases.

Once again, we need to clarify our direction after several years of significant changes affecting the Branch. New provincial legislation requires that Ministries complete annual performance plans. The Ministry of Attorney General has completed its performance plan, which is available on the Ministry Internet site (www.gov.bc.ca/ag/). The Branch Performance Plan will assist us in continuing to provide an effective and efficient prosecution service to the people of British Columbia.

The Branch consulted extensively with its members during the planning process. Planning was guided by the Crown Counsel Act, the provincial legislation governing the Criminal Justice Branch. Our legislated mandate is outlined in the Act and includes the responsibility to approve and conduct prosecutions and criminal appeals as well as advise the government on criminal law matters and provide information on criminal justice prosecutions to the media and the public.

The foundations of the Criminal Justice Branch's prosecution service are the valuable, dedicated and professional service provided by all members of the Branch, the impartial decision-making by Crown Counsel, the integrity of our operations and the independence of prosecutorial discretion.

To achieve our goals over the next three years the Branch will concentrate on a number of priorities including people, prosecution support, and leadership and management. Fulfilling the Branch's mandate requires the efforts of Branch members in many roles - prosecutors, management, victim and witness services professionals, and administrative support staff. I would like to thank them all for their contribution to the planning process and their ongoing commitment to public service.

Robert W.G. Gillen, Q.C.
Assistant Deputy Attorney General
Criminal Justice Branch

PROSECUTION SERVICE

ROLE OF CROWN COUNSEL

The role of Crown Counsel as set out in R. v. Boucher (1954), 110 CCC 263 (SCC) was recently endorsed in R. v. Brown, 2001 BCCA 14. The Court of Appeal quoted two passages from Boucher dealing with the special role of the prosecutor:

At 267, Mr. Justice Taschereau said:

> *The position held by counsel for the Crown is not that of a lawyer in civil litigation. His functions are quasi-judicial. His duty is not so much to obtain a conviction as to assist the judge and the jury in ensuring that the fullest possible justice is done. His conduct before the Court must always be characterized by moderation and impartiality. He will have properly performed his duty and will be beyond all reproach if, eschewing any appeal to passion, and employing a dignified manner suited to his function, he presents the evidence to the jury without going beyond what it discloses.*

At 270, Mr. Justice Rand said:

> *It cannot be over-emphasized that the purpose of a criminal prosecution is not to obtain a conviction; it is to lay before a jury what the Crown considers to be credible evidence relevant to what is alleged to be a crime. Counsel have a duty to see that all available legal proof of the facts is presented: it should be done firmly and pressed to its legitimate strength, but it must also be done fairly. The role of prosecutor excludes any notion of winning or losing; his function is a matter of public duty than which in civil life there can be none charged with greater personal responsibility. It is to be efficiently performed with an ingrained sense of the dignity, the seriousness and the justness of judicial proceedings.*

In R. v. Logiacco (1984), 11 CCC (3d) 374 (Ont CA), Mr. Justice Cory stated:

> *...[T]he role of the Crown Attorney in the administration of justice is of critical importance to the courts and to the community. The Crown prosecutor must proceed courageously in the face of threats and attempts at intimidation. He must see that all matters deserving of prosecution are brought to trial and prosecuted with diligence and dispatch. He must be industrious to ensure that all the arduous preparation has been completed before the matter is brought before the court. He must be of absolute integrity, above all suspicion of unfair compromise or favouritism. The Crown prosecutor must be a symbol of fairness, prompt to make all reasonable disclosures and yet scrupulous in attention to the welfare and safety of witnesses. Much is expected of the Crown prosecutor by the courts. The community looks upon the Crown prosecutor as a symbol of authority and as a spokesman for the community in criminal matters ...*
>
> *Great trust is placed in the Crown prosecutor by the courts and by the public. Heavy obligations are imposed upon him in his quasi-judicial role. To be worthy of the trust and reliance which is placed in his office, he must conduct himself with becoming dignity and fairness.*

The foregoing passages are indicative of the high standards the Courts expect of Crown Counsel. The obligations upon Crown Counsel and the dignity expected of that office are weighty indeed.

HISTORY OF THE CRIMINAL JUSTICE BRANCH

Prior to April 1, 1974, prosecutions in many Provincial Courts including Vancouver, Victoria, Kelowna, Kamloops, and Prince George were conducted by lawyers hired by the municipalities. In many other locations in the province, Provincial Court prosecutions were conducted by police prosecutors, or the police determined when a lawyer was necessary in Provincial Court and made arrangements to have someone retained. Cases in the County and Supreme Courts were conducted by lawyers, usually from the private Bar, who were specifically retained by the then Director of Criminal Law in Victoria to prosecute the assize or session. All reports on the outcomes of cases prosecuted in County or Supreme Court were given to the Director of Criminal Law.

In 1974, the provincial government decided that the administration of justice should be regarded as an integrated system and on April 1, 1974, assumed responsibility for the administration of justice. This approach allowed for the creation of a decentralized prosecution service able to apply consistent prosecution standards throughout the province.

The Branch was first divided into thirteen regions, but later reduced to five regions plus the Criminal Appeals and Special Prosecutions unit (CASP) and Headquarters. In the late 1970s and early 1980s a Crown Counsel pre-charge approval process evolved, with a two-part standard: Is there a substantial likelihood of conviction and, if so, is a prosecution required in the public interest?

In June 1991, following the Discretion to Prosecute Inquiry by Inquiry Commissioner Stephen Owen in 1990, the provincial government passed the Crown Counsel Act. It sets out the functions and responsibilities of Crown Counsel, the Branch, and the Assistant Deputy Attorney General and addresses the relationship between the Attorney General and the Branch.

Currently, the Criminal Justice Branch comprises 912 people working in 45 locations across the province: 449 Crown Counsel, 373 administrative staff, and 90 Crown Victim/Witness Services staff.

MANDATE OF THE CRIMINAL JUSTICE BRANCH

The mandate of the Branch is set out in section 2 of the Crown Counsel Act. It reads as follows:

The Branch has the following functions and responsibilities:

a) to approve and conduct, on behalf of the Crown, all prosecutions of offences in British Columbia;
b) to initiate and conduct, on behalf of the Crown, all appeals and other proceedings in respect of any prosecution of an offence in British Columbia;
c) to conduct, on behalf of the Crown, any appeal or other proceeding in respect of a prosecution of an offence, in which the Crown is named as a respondent;
d) to advise the government on all criminal law matters;
e) to develop policies and procedures in respect of the administration of criminal justice in British Columbia;
f) to provide liaison with the media and affected members of the public on all matters respecting approval and conduct of prosecutions of offences or related appeals;
g) any other function or responsibility assigned to the Branch by the Attorney General.

Section 3 outlines the responsibilities of the Assistant Deputy Attorney General as follows:

Assistant Deputy Attorney General

1) The ADAG is charged with the administration of the Branch and with carrying out the functions and responsibilities of the Branch under section 2.
2) The ADAG is designated, for purposes of section 2 of the Criminal Code, as a lawful deputy of the Attorney General.

The responsibilities of Crown Counsel are stated in section 4 of the Act as follows:

1) The ADAG may designate as "Crown counsel" any individual or class of individual who is lawfully entitled to practise law in British Columbia.
2) Each Crown counsel is authorized to represent the Crown before all courts in relation to the prosecution of offences.
3) Subject to the directions of the ADAG or another Crown counsel designated by the ADAG, each Crown counsel is authorized to
   a) examine all relevant information and documents and, following the examination, to approve for prosecution any offence or offences that he or she considers appropriate,
   b) conduct the prosecutions approved, and
   c) supervise prosecutions of offences that are being initiated or conducted by individuals who are not Crown counsel and, if the interests of justice require, to intervene and to conduct those prosecutions.
4) The Attorney General may establish an appeal process under which law enforcement officials may appeal the determination of any Crown counsel or special prosecutor not to approve a prosecution.

The Act also governs the relationship between the Branch and government through the Attorney General. It requires that directions on specific prosecutions must be in writing and published in the BC Gazette. There are analogous provisions for policy and administrative directions. The Act was intended to afford significant independence to the Branch while, at the same time, maintaining a balance of accountability. The Act also provides for the appointment of special prosecutors by the Assistant Deputy Attorney General when it is necessary in the public interest.

ENVIRONMENT

A number of issues currently impact the prosecution services we provide, including:

- **New legislation**
  Significant amendments have occurred in recent years and Crown Counsel are expected to be fully familiar with, and implement, the changes. These include DNA databank legislation, third party records, firearms legislation, omnibus procedural amendments, new sentencing provisions, freedom of information legislation, new victims legislation, conditional sentencing, alternative measures, and the forthcoming federal Youth Criminal Justice Act.

- **Changes in the law**
  The common law is developing very rapidly, particularly jurisprudence under the Charter of Rights and Freedoms. There are challenges in keeping up to date on case law developments. Further, the complexity of cases and the impact of the Charter means that legal and evidentiary issues arising during the course of a trial are much more complex, require much more research, and take substantially more court time to litigate. The developments of both legislation and case law regarding disclosure have significantly increased demands upon Crown Counsel who must consider issues relating to witness security, privacy and third party interests.

- **Public focus**
  Crown Counsel invest significant time documenting files in the event of future complaints or lawsuits. Crown Counsel respond to complaints or enquiries from victims, community interest groups, the police, complaints by accused to the Law Society, and community organizations. Law suits filed against Crown Counsel, while usually frivolous, create added stress to the Crown's working environment. Similarly, private informations sworn against Crown Counsel, while relatively rare, also are very disconcerting to the named prosecutor.

- **Complexity of sentencing proceedings**
  Sentencing matters are increasingly time consuming. New legislation, including conditional sentences, and new methods of dealing with offenders such as through restorative justice initiatives, have been implemented.

- **Changing nature of crime**
  The changing nature of crime creates special challenges. Crimes involving new technology and Internet fraud are increasing. There is a focus on high risk, serious, violent and repeat offenders. Organized crime is also on the rise.

- **Complexity of commercial crime files**
  Technology, together with changes in the law, is having a substantial impact on the complexity of commercial crime files. There are many more exhibits to deal with and disclosure obligations are significant. More experts are required, which results in the need to expend more resources. Commercial Crime cases are becoming more complex and lengthy, which also results in the need for more resources.

- **Branch policies**
  With increasing demands for accountability, and continuing scrutiny by public interest groups, the media, police, victims and witnesses, more Branch policies and practice bulletins have been issued. Policy compliance can be time consuming.

- **Forensic evidence**
  The availability of forensic evidence, much of it complex, has added to the responsibilities Crown Counsel face and has significantly increased both the complexity and length of trials.

- **Media**
  Media in local communities are often demanding of Crown Counsel's time although the creation of a Branch Communications Counsel has alleviated some of the time expended on cases that have a provincial or national profile.

- **Police training**
  As a consequence of rapid change in the law, coupled with a turnover of experienced officers, police often look to Crown Counsel for advice and guidance in investigations.

- **Unrepresented accused**
  There has been a significant increase in the number of unrepresented accused. These trials demand more time from Crown Counsel and take longer to prosecute to ensure the trial process is fair.

- **Administrative responsibilities**
  Administrative and management responsibilities have increased markedly. More time is spent on supervising younger Crown Counsel and dealing with budgetary matters, best practices reviews, performance appraisals, morale, personnel and facilities issues.

- **New technology and other processes**
  While new technology is advantageous in the long run, there is a steep learning curve requiring significant basic computer training. Much time is also expended in implementing JUSTIN and the Criminal Caseflow Management Rules.

FUTURE VISION

The Criminal Justice Branch is committed to implementing a prosecution service that:

- provides an effective and efficient prosecution service;
- has the role of Crown Counsel and the need for independent decision making, coupled with demonstrated, accountability understood by members of the public and government;
- strengthens support for the prosecution function including initiatives to better provide litigation support, professional development and training of all staff, and more effective communication across the Branch;
- has an enhanced supportive workplace environment in which all people, whether Crown Counsel, administrative support or CVWS have increased morale. The various initiatives in the planning priorities will significantly increase the morale of Crown Counsel;
- has all staff within the Branch working in a safe and productive environment;
- has roles, responsibilities and expectations of all members within the Branch clarified to ensure that people are doing that for which they are responsible;
- has the goals and actions outlined in the three priorities—people, prosecution support, and leadership and management—appropriately implemented.

GOALS AND OBJECTIVES

The goals and the related objectives of the Criminal Justice Branch are to:

1) Conduct timely and appropriate criminal prosecutions and appeals.

    a) Enhance timely assessment of allegations of criminal offences.
    b) Enhance the efficiency of Crown Counsel file processing.
    c) Conduct criminal prosecutions effectively and efficiently.
    d) Ensure the timely filing of Crown documents in criminal appeals.

2) Protect the community from high-risk, sexual and violent offenders.

    a) Continue to make dangerous offender, long term offender and recognizance applications when appropriate.
    b) Focus prosecutorial resources on serious, violent offences and violent offenders.

3) Strengthen support for the prosecution function.

    a) Improve delivery and co-ordination of professional development and training.
    b) Enhance co-ordination and quality of practical litigation assistance and advice to prosecutors.
    c) Ensure Branch policies are necessary, relevant and written in a consistent manner.
    d) Improve information technology planning and technical expertise in the Branch.
    e) Upon request by the victim, ensure that victims are informed of case events.
    f) Use "victim impact statements/information" at sentencing, when appropriate.
    g) Provide the appropriate emotional support or referral to vulnerable victims or witnesses.

4) Enhance the independence of Crown Counsel by demonstrating accountability.

    a) Develop an effective accountability framework that is consistent with, and respectful of, the need for prosecutorial independence.
    b) Ensure relationships with organizations outside the Branch are consistent both with the principles of prosecutorial independence and the need for accountability.

5) Develop a supportive and productive workplace environment.

    a) Ensure human resources, workload and experience are equitably allocated across the Branch and a model to predict staffing requirements is established.
    b) Foster an improved work environment.
    c) Ensure the best people are recruited into the Branch and retained.
    d) Clearly define leadership and management roles of BMC, DRCC, and Deputy Directors.
    e) Ensure roles, responsibilities, authority and expectations for AdministrativeCrown Counsel, Managers of Administrative Services and Managers, CVWS are clearly defined with incumbents confident and capable of dealing with people issues and motivating staff.
    f) Ensure the organizational structure reflects the needs of the Branch.

6) Improve internal and external communications.

   a) Develop an internal communications plan.
   b) Provide liaison with the media and affected members of the public on all matters respecting approval and conduct of prosecutions of offences or related appeals.

7) Pursue new and enhance existing methods to administer justice effectively.

   a) Develop creative policies and procedures for new ways to administer criminal justice in British Columbia.

8) Provide high quality and cost-effective legal services and policy advice to government.

   a) Advise the government on criminal law matters.

9) Strengthen the Branch planning function.

   a) Develop, implement and maintain an effective ongoing planning process.

SUPPORT OF MINISTRY GOALS BY BRANCH GOALS AND OBJECTIVES

Branch Goals	Branch Objectives	Ministry Goals
1. Conduct timely and appropriate criminal prosecutions and appeals.	a) Enhance timely assessment of allegations of criminal offences. b) Enhance the efficiency of Crown Counsel file processing. c) Conduct criminal prosecutions effectively and efficiently. d) Ensure the timely filing of Crown documents in criminal appeals.	Goal 4: Ensure timely processing of criminal cases
2. Protect the community from high-risk, sexual and violent offenders.	a) Continue to make dangerous offender, long term offender and recognizance applications when appropriate. b) Focus prosecutorial resources on serious, violent offences and violent offenders.	Goal 3: Protect the community from high-risk and violent offenders
3. Strengthen support for the prosecution function.	a) Improve delivery and co-ordination of professional development and training. b) Enhance co-ordination and quality of practical litigation assistance and advice to prosecutors. c) Ensure Branch policies are necessary, relevant and written in a consistent manner. d) Improve information technology planning and technical expertise in the Branch. e) Upon request by the victim, ensure that victims are informed of case events. f) Use "victim impact statements/information" at sentencing, when appropriate. g) Provide the appropriate emotional support or referral to vulnerable victims or witnesses.	Goal 11: Develop a supportive and productive workplace environment Goal 9: Improve the efficiency of all ministry operations through the use of innovative business practices Goal 5: Ensure victims' needs are acknowledged and served throughout the criminal justice process
4. Enhance the independence of Crown Counsel by demonstrating accountability.	a) Develop an effective accountability framework that is consistent with, and respectful of, the need for prosecutorial independence. b) Ensure relationships with organizations outside the Branch are consistent both with the principles of prosecutorial independence and the need for accountability.	*Crown Counsel Act*

5. Develop a supportive and productive workplace environment.	a) Ensure human resources, workload and experience are equitably allocated across the Branch and a model to predict staffing requirements is established. b) Foster an improved work environment. c) Ensure the best people are recruited into the Branch and retained. d) Clearly define leadership and management roles of BMC, DRCC, and Deputy Directors. e) Ensure roles, responsibilities, authority and expectations for Administrative Crown Counsel, Managers of Administrative Services and Managers, CVWS are clearly defined with incumbents confident and capable of dealing with people issues and motivating staff. f) Ensure the organizational structure reflects the needs of the Branch.	Goal 11: Develop a supportive and productive workplace environment.
6. Improve internal and external communications.	a) Develop an internal communications plan. b) Provide liaison with the media and affected members of the public on all matters respecting approval and conduct of prosecutions of offences or related appeals.	Goal 11: Develop a supportive and productive workplace environment.
7. Pursue new and enhance existing methods to administer justice effectively.	a) Develop creative policies and procedures for new ways to administer criminal justice in British Columbia.	Goal 10: Provide high quality and cost-effective legal services and policy advice to government.
8. Provide high quality and cost-effective legal services and policy advice to government.	a) Advise the government on criminal law matters.	Goal 10: Provide high quality and cost-effective legal services and policy advice to government.
9. Strengthen the Branch planning function.	a) Develop, implement and maintain an effective ongoing planning process.	Goal 9: Improve the efficiency of all ministry operations through the use of innovative business practices.

PERFORMANCE PLANNING TABLE

Branch Goal #1: Conduct timely and appropriate criminal prosecutions and appeals.

Branch Objective: 1a. Enhance timely assessment of allegations of criminal offences.			Performance Targets		
Programs	**Activities**	**Performance Measures**	**2001/02**	**2002/03**	**2003/04**
Prosecutions	**Charge Assessment** Apply the Branch charge approval policy to assess all allegations of offences in the Province. Assess allegations to determine if charges should be: • Approved to court • Referred to Alt Measures/other programs • No charges warranted or caution letter • Returned to police for consideration of further investigation.	To be determined in consultation with appropriate Branch personnel. Example: - % New charge assessment completed per standard time period. Effectiveness measures to be determined.	Develop meaningful efficiency and effectiveness measures. Establish valid and reliable baselines. Set targets.	Improve efficiency and effective-ness.	Maintain or improve as needed.
Prosecutions	**Alternate Measures** • Assess accused history for appropriate referral to alt measures program. • Make referrals to Corrections programs. • Approve contracts.	• # Eligible for referral to alt measures. • % Of eligible that were referred for alt measures assessment. • % Contract was signed.	Develop meaningful efficiency and effectiveness measures. Establish valid and reliable baselines. Set targets	Improve efficiency and effective-ness.	Maintain or improve as needed.

Program Names and Resources	2000/01		2001/02		2002/03		2003/04	
	FTEs	$000s	FTEs	$000s	FTEs	$000s	FTEs	$000s
1. Prosecutions - Charge Assessment	49	$5,536	49	$5,536				
2. Prosecutions – Alternate Measures								
Totals	49	$5,536	49	$5,536				

Notes:

1. Charge Assessment FTE's calculated using delegation FTE's by subtracting Regional Crown and Deputy Regional (2 per Region), taking 11 % of remaining regional Crown FTE's, taking 11% of Commercial Crime Crown FTE's, taking 100% of Air India's Crown FTE's less the director, taking 50% of Special Prosecutors Crown FTE's, no Support Staff were included.
2. Costs were calculated for each Crown at a LO3A Step 1 level (includes salaries, benefits, travel, professional development, telecommunications, office expenses, publications, BOC, and Bar Fees).
3. Costs do not reflect the recent increases to salaries for the Crown Counsel Association, management exclusions and BCGEU members.
4. Establishing valid and reliable baselines and demonstrating achievement of targets will be dependent upon acquiring reliable data from JUSTIN and/or the data warehouse.

Branch Goal #1: Conduct timely and appropriate criminal prosecutions and appeals.

Branch Objective: 1b. Enhance the efficiency of Crown Counsel file processing.			Performance Targets		
Programs	**Activities**	**Performance Measures**	**2001/02**	**2002/03**	**2003/04**
Special Justice Projects	**Criminal Case Flow Management (CCFM)** To achieve greater trial certainty by continuing to implement and refine processes involving: • Crown Best Practices • File ownership • Confirmation of witness availability	• Confirm and refine implementation of models 1, 2, 3. • # of Crown Counsel handling file. • # of witnesses confirmed available for trial. • # of files completed.	Establish valid and reliable baselines. Set achievable targets.	Improve efficiency and effectiveness.	Maintain or improve as needed.

Program Names and Resources	2000/01		2001/02		2002/03		2003/04	
	FTEs	$000s	FTEs	$000s	FTEs	$ 000s	FTEs	$ 000s
1. Special Justice Projects - CCFM	29	$2,000	12	$958	0	$0	0	$0
Totals	29	$2,000	12	$958	0	$0	0	$0

Notes:

1. Costs do not reflect the recent increases to salaries for the Crown Counsel Association, management exclusions and BCGEU members.
2. Costs for 2001/02 are estimated at $958,000 and 12 FTE's. The initial delegation was for $2.0 million and 29 FTE's. The final amount is subject to adjustment.
3. Establishment of valid and reliable baselines and demonstrating achievement of targets will be dependent upon acquiring reliable data from JUSTIN and/or the data warehouse.

Branch Goal #1: Conduct timely and appropriate criminal prosecutions and appeals.

Branch Objective: 1c. Conduct criminal prosecutions effectively and efficiently.			Performance Projections		
Programs	**Activities**	**Performance Measures**	**2001/02**	**2002/03**	**2003/04**
Prosecutions	Conduct of criminal prosecutions in the province (Criminal Code of Canada and Provincial Statutes).	Total prosecutions conducted To be determined in consultation with appropriate Branch personnel. Example: # of Askov applications.	85,000	84,750	84,500

Program Names and Resources	2000/01 FTEs	2000/01 $ 000s	2001/02 FTEs	2001/02 $ 000s	2002/03 FTEs	2002/03 $ 000s	2003/04 FTEs	2003/04 $000s
1. Prosecutions	559	$55,020	559	$55,020				
Totals	559	$55,020	559	$55,020				

Notes:

1. Criminal prosecutions FTE's calculated from delegation FTE's by subtracting the Charge Approval FTE's (above) from the total Regional Crown FTE's (Crown Counsel and support staff), taking 50% of Special Prosecutors Crown FTE's.
2. Costs were calculated for each Criminal prosecution using the delegated budget 2000/01 by subtracting the cost of charge approval (above) per region from the regional budget less the cost of VOCA and CVWS including the total costs of Commercial Crime, Special Prosecutions and Air India less the costs of charge approval.
3. Costs do not reflect the recent increases to salaries for the Crown Counsel Association, management exclusions and BCGEU members.
4. Establishment of valid and reliable baselines and demonstrating achievement of targets will be dependent upon acquiring reliable data from JUSTIN and or the data warehouse.

Branch Goal #1: Conduct timely and appropriate criminal prosecutions and appeals.

Branch Objective: 1d. Ensure the timely filing of Crown documents in criminal appeals.			Performance Targets		
Programs	**Activities**	**Performance Measures**	**2001/02**	**2002/03**	**2003/04**
Criminal Appeals	• Automate Criminal Appeals case tracking system, which provides notification of key dates (filings). • Review office procedures to determine the need for best practices and internal efficiencies. • Regionalize more appeals and increase junioring/mentoring.	To be determined in consultation with appropriate Branch personnel. Example: • % Filings within a standard period of time. Effectiveness measures to be determined.	Establish valid and reliable baselines. Set achievable targets. Regionalize some appeals.	Improve efficiency and effectiveness.	Maintain or improve as needed.

Program Names and Resources	2000/01 FTEs	2000/01 $000s	2001/02 FTEs	2001/02 $000s	2002/03 FTEs	2002/03 $ 000s	2003/04 FTEs	2003/04 $ 000s
1. Criminal Appeals	20	$1,924	20	$1,924				
Totals	20	$1,924	20	$1,924				

Notes:

1. Criminal Appeals FTE's are from delegation of FTE's.
2. Costs are from the delegated budget 2000/01.
3. Costs do not reflect the recent increases to salaries for the Crown Counsel Association, management exclusions and BCGEU members.

Branch Goal #2: Protect the community from high-risk, sexual and violent offenders.

Branch Objective: 2a. Continue to make dangerous offender, long term offender and recognizance applications when appropriate.			Performance Projections		
Programs	**Activities**	**Performance Measures**	**2001/02**	**2002/03**	**2003/04**
Prosecutions	• Dangerous offender applications (DO)	• # DO applications	18	18	18
	• Long term offender applications (LTO)	• # LTO applications	2	2	2
	• Recognizance applications (s 810.1, 810.2 CC)	• # Recognizance applications	45	45	45

Program Names and Resources	2000/01		2001/02		2002/03		2003/04	
	FTEs	$ 000s	FTEs	$ 000s	FTEs	$ 000s	FTEs	$ 000s
1. Prosecutions - Dangerous Offender	2	$139	2	$139				
Totals	2	$139	2	$139				

Notes:

1. Dangerous Offender Program FTE's are from each person's estimation of FTE time dedicated to the dangerous offender program.
2. The costs reflected include administrative-related expenditures but not prosecution-related expenditures.
3. Costs were calculated from the delegated budget 2000/01, based on costs of each FTE.
4. Costs do not reflect the recent increases to salaries for the Crown Counsel Association, management exclusions and BCGEU members.

Branch Goal #2: Protect the community from high-risk, sexual and violent offenders.

Branch Objective: 2b. Focus prosecutorial resources on serious, violent offences and violent offenders.			Performance Targets		
Programs	**Activities**	**Performance Measures**	**2001/02**	**2002/03**	**2003/04**
Prosecutions	• see **Alternate Measures** under Branch objective 1a.	• see **Alternate Measures** under Branch objective 1a.	Develop meaningful efficiency and effectiveness measures. Establish valid and reliable baselines. Set targets.	Improve efficiency and effectiveness.	Maintain or improve as needed.

Branch Goal #3: Strengthen support for the prosecution function.

Branch Objective: 3a. Improve delivery and co-ordination of professional development and training.			Performance Targets		
Programs	**Activities**	**Performance Measures**	**2001/02**	**2002/03**	**2003/04**
Management and Administration	**Orientation:** • Develop an orientation strategy to enable new employees to be appropriately integrated into the Branch. • Develop an orientation strategy to enable employees assuming new responsibilities to be appropriately integrated into their new roles. • Assign accountability at the local office level. • Identify a monitoring process to evaluate the successful orientation of employees. **Professional Development & Training:** • Rationalize different types of training within the Branch and specific responsibility for over-seeing that training. • Design a plan that identifies the training and development that will enable employees to perform their responsibilities effectively. • Identify training gaps and establish training priorities. • Develop specific programs to address the on-going training and professional development needs and gaps. • Implement the training approach and program appropriately.	• Completion of Orientation strategy document that addresses specifications as outlined in activities. • Professional development and training plan completed. • Development of appropriate training programs. • # of persons trained in specific areas.	**Orientation** strategy document developed and signed off by BMC. Professional development and training plans developed and signed off by BMC. Commence training programs where required.	Continue to provide training. Assess the training programs.	Implement the recommend-ations of the assessment. Delivery of enhanced training.

Branch Goal #3: Strengthen support for the prosecution function.

Branch Objective: 3b. Enhance co-ordination and quality of practical litigation assistance and advice to prosecutors.			Performance Targets		
Programs	**Activities**	**Performance Measures**	**2001/02**	**2002/03**	**2003/04**
Prosecutions	• Assign individuals the responsibility for developing and implementing better litigation support on unique issues of law and trial strategies.	• User satisfaction survey of litigation support.	Persons are assigned the responsibility.	Develop and conduct user satisfaction survey.	Maintain or enhance.
	• Establish guidelines for determining when it is appropriate to contact the resource centres including the role of the Regions.	• Guidelines established.	Develop and implement litigation support Guidelines completed.	Make improvements where necessary.	

Branch Goal #3: Strengthen support for the prosecution function.

Branch Objective: 3c. Ensure Branch policies are necessary, relevant and written in a consistent manner.			Performance Targets		
Programs	**Activities**	**Performance Measures**	**2001/02**	**2002/03**	**2003/04**
Legal and Policy Advice	• Review the various forms of legal/policy communications to determine if they best meet the objectives of: - necessity - relevance - consistency, and avoiding duplication • better co-ordinate the communications to meet the above objectives	• Review report completed.	Assign individual respons-ibility for review. Commence review report.	Completion of review report.	

Branch Goal #3: Strengthen support for the prosecution function.

Branch Objective: 3d. Improve information technology planning and technical expertise in the Branch.			Performance Targets		
Programs	**Activities**	**Performance Measures**	**2001/02**	**2002/03**	**2003/04**
Management and Administration	• Review and make recommendations regarding the Information Technology Committee (ITC) and related committee structure including reporting relationships. • Clarify the roles and responsibilities of the members of each of the ITC subcommittees with the view to ensuring consultation throughout the organization. • Identify and staff the technical expertise support positions required in the Branch.	• Report of the review of the Information Technology Committee (ITC) and recommendations completed. - Roles and responsibilities clarified. - Identification of staff technical expertise and support positions required.	Report completed	Implement recommend-ations.	Implement and enhance
	• Develop information technology plans annually that identify and address the need to support the litigation function.	• Fiscal Year Plan completed for information technology completed.	Fiscal year plan completed	Staffing	
	• Assess and prioritize the basic computer training requirements to implement computer training in a timely manner.	• Assessment and prioritization of the basic computer training requirements.	Assessment and prioritization completed.	Training	

Branch Goal #3: Strengthen support for the prosecution function.

Branch Objective: 3e. Upon request by the victim, ensure that victims are informed of case events. 3f. Use "victim impact statements/information" at sentencing, when appropriate. 3g. Provide the appropriate emotional support or referral to vulnerable victims or witnesses.			Performance Projections		
Programs	**Activities**	**Performance Measures**	**2001/02**	**2002/03**	**2003/04**
Prosecutions	**Victims Services** • Review best practices and procedures for the Victim Services program. **Continue to:** • Contact victims (provide opportunity to submit impact information). • Receive victim impact information. • Use victim impact information at sentencing where appropriate. • Provide victims with the opportunity to be informed of case events. • Provide vulnerable victims and witnesses with information and emotional support.	• Victim satisfaction with service and understanding of case events. • % of new victims contacted. • % providing an impact statement/information. • % of received statements/informations used at sentencing. • # Making section 6 requests. • % of section 6 requests responded to. * • % vulnerable victims/ witnesses given information or support by CVWS. • % vulnerable victims/ witnesses referred to others.	To be determined 92.0% 18.0% 38.0% 9,000 TBA 42% TBA	Maintain / enhance 92.5% 18.5% 38.5% 9,000 TBA 43% TBA	Maintain / enhance 93.0% 8.7% 39.0% 9,000 TBA 44% TBA

Program Names and Resources	2000/01		2001/02		2002/03		2003/04	
	FTEs	$ 000s	FTEs	$ 000s	FTEs	$ 000s	FTEs	$ 000s
1. Prosecutions – Victims Services	70	$1,720	70	$1,720				
Totals	70	$1,720	70	$1,720				

Notes:

1. FTEs include VOCA and CV/WS positions; funding includes only CV/WS as VOCA is recovered from the MInistry.
2. VOCA victims program FTE's are from the delegated FTE budget. Costs are from the delegated budget 2000/01.
3. Costs do not reflect the recent increases to salaries for management exclusions and BCGEU members.
4. Establishing valid and reliable baselines and demonstrating achievement of targets will be dependent upon acquiring reliable data from JUSTIN and/or the data warehouse.

* % of section 6 requests responded to – may require a change to JUSTIN.

Branch Goal #4: Enhance the independence of Crown Counsel by demonstrating accountability.

Branch Objective: 4a. Develop an effective accountability framework that is consistent with, and respectful of, the need for prosecutorial independence.			Performance Targets		
Programs	**Activities**	**Performance Measures**	**2001/02**	**2002/03**	**2003/04**
Planning	• Consult with RMCs and others on what performance measures and targets are appropriate for the Branch.	• Branch performance measures and targets determined in consultation with appropriate Branch personnel and signed off by BMC.	Establish valid and reliable measures and baselines.	Maintain or improve measures as needed.	Maintain or improve measures as needed.
	• Identify and develop a set of performance measures and targets, by when, by whom, and clearly defining the person(s) responsible for achieving the identified measures and targets.	• Plan implemented to achieve the performance measures and targets.	Set achievable targets.		
	• Implement the plan and empower the people responsible for achieving the identified measures and targets with the authority and resources to do so.	• Persons responsible empowered with appropriate authority and resources.	Branch Performance plan signed off by BMC.		
	• Monitor the progress and evaluate the results.	• Results are monitored.			
	• Produce an annual report.	• Annual report produced.			
	• Refine the measures and targets to accord with evaluations and set new priorities of the Branch.	• Refinements to performance measures and targets made.			

Branch Goal #4: Enhance the independence of Crown Counsel by demonstrating accountability.

Branch Objective: 4b. Ensure relationships with organizations outside the Branch are consistent both with the principles of prosecutorial independence and the need for accountability.			**Performance Targets**		
Programs	**Activities**	**Performance**	**2001/02**	**2002/03**	**2003/04**
Legal and Policy Advice	• Create a process to respond to requests for specialized prosecutions.	• Process to respond to requests for specialized prosecutions created.	Process created.		
	• In accordance with the Crown Counsel Act's responsibilities to develop policies and procedures on the administration of criminal justice, develop clear written mandates for any committees involving members outside the Branch and the basis for Criminal Justice Branch participation. This includes ensuring that appropriate coordination with other criminal justice personnel is accomplished in a manner that does not interfere with prosecutorial independence.	Document created outlining the mandates for any committees involving CJB members participation.	Mandate review commenced.	Mandate completed.	
		• In-house training and public education to improve the understanding of the role of Crown Counsel, implemented.		Design and plan for training commenced	Training and public education implemented.

Branch Goal #5: Develop a supportive and productive workplace environment.

Branch Objective: 5a. Ensure human resources, workload and experience are equitably allocated across the Branch and a model to predict staffing requirements is established.			Performance Targets		
Programs	**Activities**	**Performance Measures**	**2001/02**	**2002/03**	**2003/04**
Management and Administration	• Develop strategies to allocate resources and workload equitably within the Branch.	• Strategies developed and implemented.	Strategies developed.	Strategies implemented.	Human resources and experience equitably allocated.
	• Develop a human resource plan to assist the Branch in assessing and predicting the required number of staff to meet expected workload demands.	• Human resource plan developed and implemented.	Human resource plan developed.	Human resource plan implemented.	
	• Identify the management information and technology requirements to support the human resource plan and allocation strategies.	• Management information requirements developed and implemented. • Human resources, workload and experience equitably allocated.	Manage-ment information require-ments developed.	Management information system implemented.	

Branch Goal #5: Develop a supportive and productive workplace environment.

Branch Objective: 5b. Foster an improved work environment.			**Performance Targets**		
Programs	**Activities**	**Performance Measures**	**2001/02**	**2002/03**	**2003/04**
Management and Administration	• Develop and implement a recognition strategy to acknowledge and appreciate performance.	• Employee satisfaction survey of work environment.	Development of all strategies.	Continue to implement where time and resources permit.	Develop and conduct employee satisfaction survey.
	• Develop and implement a strategy that provides for a safe and positive work environment including facilities planning.	• Strategy for: - Employee Recognition, - Safe and positive work environment, - Employee/management relations, - Identification of job requirements and management support developed and implemented.	Implement where time and resources permit.		Make improvements where necessary.
	• Enhance current strategies to address employee/management relations issues as they arise.				
	• Identify employees' requirements to better perform the jobs, the necessary management support required and commit appropriate resources.				

Branch Goal #5: Develop a supportive and productive workplace environment.

Branch Objective: 5c. Ensure the best people are recruited into the Branch and retained.			Performance Targets		
Programs	**Activities**	**Performance Measures**	**2001/02**	**2002/03**	**2003/04**
Management and Administration	**Recruitment and Selection:** • Develop a recruiting strategy. • Identify recruitment criteria and selection processes to select best candidates recognizing equity, diversity and multiculturalism. • Train those who will have a role in the recruitment process. • Consider increased use of articling and other students. **Career Planning:** • Identify and communicate career paths. • Define the roles and responsibilities of managers and staff regarding career planning and encourage mentoring. • Develop and implement career planning. • Communicate the career planning process. • Consider implementing a paralegal/legal assistant program. **Succession Planning:** • Develop a succession plan including identification of key positions, knowledge, skills and abilities required, sources of potential candidates and training/development needs. **Performance Management:** • Evaluate the performance of new employees in a timely manner. • Complete development and implement a plan for ongoing performance management of all employees.	• Recruitment and selection strategy developed and implemented. • Career planning strategy developed and implemented. • Succession planning strategy developed and implemented. • Performance management plan completed and implemented. • Performance reviews of new employees completed in a timely manner.	Development of all strategies. Commence implementation.	Continue to implement.	Continue to implement

Branch Goal #5: Develop a supportive and productive workplace environment.

Branch Objective: 5d. Clearly define leadership and management roles of BMC, DRCC, and Deputy Directors.			Performance Targets		
Programs	**Activities**	**Performance Measures**	**2001/02**	**2002/03**	**2003/04**
Management and Administration	• Canvass management roles of executive governing bodies generally, with particular emphasis on prosecution services in other jurisdictions. • Provide training and information to BMC on traditional roles of managers including in the legal community and prosecution systems. • Consult, develop, and define in writing the role of, mandate and membership in, BMC and subcommittees. • Adopt, communicate and implement new role definitions. • Identify leadership and management development needs for BMC members. • Implement training to address needs identified above.	• Roles of BMC, DRCC, Deputy Directors are clearly defined and communicated. • Leadership and management training completed. • Performance review of BMC, DRCC, Deputy Directors completed.	Roles defined and communicated. Commence leadership and management training.	Continue leadership and management training. Commence Performance reviews.	Continue performance review of BMC, DRCC, Deputy Directors completed.

Branch Goal #5: Develop a supportive and productive workplace environment.

Branch Objective: 5e. Ensure roles, responsibilities, authority and expectations for Administrative Crown Counsel, Managers of Administrative Services and Managers, CVWS are clearly defined with incumbents confident and capable of dealing with people issues and motivating staff.			**Performance Targets**		
Programs	**Activities**	**Performance Measures**	**2001/02**	**2002/03**	**2003/04**
Management and Administration	• Consult, outline and define in writing the role and responsibilities of Administrative Crown Counsel, Managers of Administrative Services and Managers, CVWS. • Identify leadership and management development needs for managers at all levels. • Implement training to address needs identified above. • Adopt, implement, and communicate to all members of the Branch, management roles, responsibilities, authority, and expectations for managers at all levels.	• Roles of Admin Crown, MAS's and CVWS are clearly defined and communicated. • Leadership and management training completed • Performance review of Admin Crown, MAS's and CVWS completed.	Roles defined and communicated Commence leadership and management training.	Continue leadership and manage-ment training. Commence Performance reviews.	Continue performance review of Admin Crown, MAS's and CVWS completed.

Branch Goal #5: Develop a supportive and productive workplace environment.

Branch Objective: 5f. Ensure the organizational structure reflects the needs of the Branch.			Performance Targets		
Programs	**Activities**	**Performance Measures**	**2001/02**	**2002/03**	**2003/04**
Management and Administration	• Review issues arising from the planning process, consult as appropriate and revise organizational structure.	• Review organizational structure. • Complete consultations and revise organizational structure as appropriate.	Revisions implemented		
	• Communicate decisions throughout the Branch.	• Decisions communicated.	Decisions communicated		

Branch Goal #6: Improve internal and external communications.

Branch Objective: 6a. Develop an internal communication plan.			Performance Targets		
Programs	**Activities**	**Performance Measures**	**2001/02**	**2002/03**	**2003/04**
Communications	**Develop an internal communications plan:** • Survey current communications/ needs. • Develop and implement a co-ordinated and comprehensive internal communications plan. **Improve consultation between the Regions, H/Q and CASP** • Develop a structure or network to facilitate Crown practicing in new areas to share knowledge and develop consistency. • Expand opportunities to provide for input from Crown Counsel on proposed legislation.	Survey for improved communications	Survey current communications development of communications plan Commence development of structure for information sharing	Implement additional activities	Conduct follow-up survey of communications Make improvements where necessary.

Branch Goal #6: Improve internal and external communications.

Branch Objective: 6b. **Provide liaison with the media and affected members of the public on all matters respecting approval and conduct of prosecutions of offences or related appeals.**			**Performance Targets**		
Programs	**Activities**	**Performance Measures**	**2001/02**	**2002/03**	**2003/04**
Communications	• Continue to liaise with the media, affected members of the public and other justice system personnel. • Implement in-house training and public education to improve the understanding of the role of Crown Counsel, the reasons for prosecutorial independence and the provisions of the Crown Counsel Act.	• Maintain communications counsel and correspondence unit.	Continue to liaise with the media and affected members of the public	Continue to liaise with the media and affected members of the public	Continue to liaise with the media and affected members of the public

Branch Goal #7: Pursue new and enhance existing methods to administer justice effectively.

Branch Objective: 7a. Develop creative policies and procedures for new ways to administer criminal justice in British Columbia.			Performance Targets		
Programs	**Activities**	**Performance Measures**	**2001/02**	**2002/03**	**2003/04**
Special Justice Projects	• Continue to enhance alternatives to criminal prosecutions for appropriate cases.	• To be defined.	To be defined.	Improve and enhance.	Improve and enhance.
	• Continue to participate in law reform initiatives and FPT forums.	• Continued participation FPT activities.	Maintain participation.	Maintain participation.	Maintain participation.

Branch Goal #8: Provide high quality and cost-effective legal services and policy advice to government.

Branch Objective: 8a. Advise the government on criminal law matters.			Performance Targets		
Programs	**Activities**	**Performance Measures**	**2001/02**	**2002/03**	**2003/04**
Legal and Policy Advice	• Continue to provide advice to government as appropriate.	Counsel assigned responsibility to provide advice.	Maintain Counsel.	Improve and enhance.	Improve and enhance.

Branch Goal #9: Strengthen the Branch planning function.

Branch Objective: 9a. Develop, implement and maintain an effective ongoing planning process.			Performance Targets		
Programs	**Activities**	**Performance Measures**	**2001/02**	**2002/03**	**2003/04**
Planning	• Identify all planning/review processes required for the Branch. • Rationalize the assignment of responsibilities. • Assign the responsibility for coordinating all planning processes. • Ensure that planning is a standing item on the BMC agenda. • Monitor progress in planning areas. • Evaluate the planning process as an effective instrument for Branch management and revise plan as appropriate.	• Planning and review process identified. • Responsibilities assigned. • Monitoring processes implemented. • Evaluation of planning process completed. • Plans revised.	Planning and review processes identified. Responsibilities assigned. Establish process to monitor.	Evaluation of planning process completed. Update plans. Monitoring implemented.	Update plans. Improve and enhance

Program Names and Resources	2000/01 FTEs	2000/01 $ 000s	2001/02 FTEs	2001/02 $ 000s	2002/03 FTEs	2002/03 $ 000s	2003/04 FTEs	2003/04 $ 000s
Goals 3 d to g, and 4 to 9								
Totals	81	$9,527	81	$9,527				

Notes:

1. Costs and FTE's are from the delegated budget 2000/01.
2. Costs do not reflect the recent increases to salaries for management exclusions and BCGEU members.
3. Establishing valid and reliable baselines and demonstrating achievement of targets will be dependent upon acquiring reliable data from JUSTIN and/or the data warehouse.